



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/612,429	07/02/2003	Qiong Liu	FXPL-01064US0	6567
23910 7590 08/31/2010				
FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108				
EXAMINER MONIKANG, GEORGE C				
ART UNIT PAPER NUMBER				
2614				
NOTIFICATION DATE DELIVERY MODE				
08/31/2010 ELECTRONIC				

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

OFFICEACTIONS@FDML.COM

Office Action Summary

Application No.

10/612,429

Applicant(s)

LIU ET AL.

Examiner

GEORGE MONIKANG

Art Unit

2614

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1.5-9.14 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1.5-9.14 and 17-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/25/2010 has been entered.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 14 & 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Klindworth, US Patent Pub. 20030081120 A1.

Re Claim 1, Klindworth discloses a method for managing audio devices located at a live event during the live event (fig. 2; para 0020: a camera system typically used for surveillance, security purposes; and it is inherent that security cameras and surveillance cameras are used to capture live event at a first location and transmit them

to a user at a second location remote from the first location of the surveillance),
comprising: capturing video content of the live event at a first location (fig. 2; para 0020:
a camera system typically used for surveillance, security purposes; and it is inherent
that security cameras and surveillance cameras are used to capture live event at a first
location and transmit them to a user at a second location remote from the first location
of the surveillance), wherein different areas of the live event are associated with a
plurality of audio devices located at the first location (fig. 2; para 0021: a microphone is
associated with each camera, wherein each of the plurality of cameras/microphones
pick up sounds/visuals from an area of a scene such that a user could select a
microphone associated with a camera view and wherein the camera view and the
microphone selected are sent to the user at a remote location via a display device and
speaker at said remote location), the plurality of audio devices capturing audio
originating from the different areas in the live event (fig. 2; para 0021: a microphone is
associated with each camera, wherein each of the plurality of cameras/microphones
pick up sounds/visuals from an area of a scene such that a user could select a
microphone associated with a camera view and wherein the camera view and the
microphone selected are sent to the user at a remote location via a display device and
speaker at said remote location); providing the video content of the live event captured
at the first location to a user at a second location during the live event wherein the video
content is displayed to the user in a graphical user interface (GUI) (fig. 2; para 0020: a
camera system typically used for surveillance, security purposes; and it is inherent that
security cameras and surveillance cameras are used to capture live event and transmit

them to a user at a second location remote from the location of the surveillance; fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a microphone associated with a camera view and wherein the camera view and the microphone selected are sent to the user at a remote location via a display device and speaker at said remote location) that enables the user to select regions of the displayed video content to receive audio from different audio devices at the live event associated with the selected regions (fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a camera view and wherein the camera view is sent to the user at a remote location via a display device at said remote location); receiving through the GUI a selection of a first region of the video content, the selection made by a user during the live event, and within the video content shown in the GUI (fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a camera view and wherein the camera view is sent to the user at a remote location via a display device at said remote location); determining a first area of the live event associated with the first region of the video content (fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a camera view and wherein the camera view is sent to the user at a remote location via a display device at said remote location);

determining which audio devices at the first location are associated with the first area of the live event (fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a microphone associated with a camera view and wherein the camera view and the microphone selected are sent to the user at a remote location via a display device and speaker at said remote location); selecting a first audio device at the first location associated with the first area of the live event (fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a microphone associated with a camera view and wherein the camera view and the microphone selected are sent to the user at a remote location via a display device and speaker at said remote location); and providing live audio from the selected first audio device at the first location to the user at a second location (fig. 2; para 0021: a microphone is associated with each camera, wherein each of the plurality of cameras/microphones pick up sounds/visuals from an area of a scene such that a user could select a microphone associated with a camera view and wherein the camera view and the microphone selected are sent to the user at a remote location via a display device and speaker at said remote location).

Claims 14 & 20 have been analyzed and rejected according to claim 1.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

3. Claims 5, 7 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klindworth, US Patent Pub. 20030081120 A1 as applied to claim 1 above, in view of Foote et al, US Patent 7015954 B1.

Re Claim 5, Klindworth discloses the method of claim 1, but fails to explicitly disclose wherein selecting the audio device includes: selecting a plurality of audio devices at the first location associated with the first region; comparing parameters for each audio device; and selecting one of the plurality of audio devices. However, Foote et al discloses a surveillance system where pluralities of microphones are associated with a given area being surveyed, and the microphone selected is based on the gain level of the sounds in that area (*Foote et al, fig. 13; col. 15, lines 9-19*). It would have been obvious to modify the Klindworth surveillance system by associating a plurality of

microphones with each camera, such that selecting a microphone will be based on comparing the plurality of microphones to obtain the microphone with the highest gain level to be transmitted to a user at the remote location as taught in Foote et al for the purpose of optimizing the performance of the Klindworth system.

Claims 7 & 18 have been analyzed and rejected according to claim 5.

4. Claims 6, 17, 21 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klindworth, US Patent Pub. 20030081120 A1 as applied to claim 5 above, in view of official notice.

Re Claim 6, which further recites, "Wherein the parameters include signal to noise ratio." Klindworth does not explicitly disclose a signal to noise ratio as claimed. Official notice is taken that both the concepts and advantages of providing a signal to noise ratio are well known in the art. It would have been obvious to use a signal to noise ratio since it is commonly used to identify the amount of background noise interference in a sound signal as a means to select the audio devices.

Claim 17 have been analyzed and rejected according to claim 6.

Claim 21 has been analyzed and rejected according to claims 1 & 6.

Re Claim 24, which further recites, "Wherein the audio device includes a far-field microphone and a close-talking microphone" as claimed. Klindworth fails to disclose a far-field microphone and a close-talking microphone as claimed. Official notice is taken that both the concepts and advantages of providing a far-field and close-talking

microphone are well known in the art. Thus it would have been obvious to provide far-field and close-talking microphones to capture various sounds at the live event to provide a viewer with a realistic sound of the live event.

5. Claims 8 & 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klindworth, US Patent Pub. 20030081120 A1 as applied to claim 1 above, in view of Cutler et al, US Patent 7428000 B2.

Re Claim 8, Klindworth discloses the method of claim 1, but fails to explicitly providing 2-way audio between the user and a second user, the user located at a remote location and the second user located at a first location associated with the video content. However, Cutler et al a system capable of providing 2-way communication between 2 users, one user at a location being monitored by a camera and a microphone and the other user at a remote location (Cutler et al, fig. 3: 302; col. 9, lines 2-7). Thus, it would have been obvious to modify the security/surveillance camera system of Klindworth such that a security officer at the location of the camera could communicate with a personnel/user at a remote location as taught in Cutler et al for the purpose of providing a more efficient security/surveillance system.

Claim 22 has been analyzed and rejected according to claim 8.

Claim 23 has been analyzed and rejected according to claims 1 & 8.

1. Claims 9 & 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klindworth, US Patent Pub. 20030081120 A1 as applied to claim 1 above, in view of Rui et al, US Patent 7349005 B2.

Re Claim 9, Klindworth discloses the method of claim 1, but fail to disclose further comprising: automatically selecting a second region of the video content, the second region of the video content including at least one second area of the video content associated with a second weight and selected as a result of detecting motion in the video content (Rui et al, col. 23, line 63 through col. 24, line 23; col. 2, line 67 through col. 3, line 5: some of the rules include how the lecturer should be framed and how multiple camera views should be utilized to create a current camera view; where all of these rules are based on the camera tracker tracking the lecturer's movement), the first region of the video content including at least one area of the video content associated with a first weight (Rui et al, col. 23, line 63 through col. 24, line 23; col. 2, line 67 through col. 3, line 5: some of the rules include how the lecturer should be framed and how multiple camera views should be utilized to create a current camera view; where all of these rules are based on the camera tracker tracking the lecturer's movement); applying different weights to the two different embodiments such that, the embodiments are used together and priority given to the embodiment with a higher weight (Rui et al, col. 23, line 63 through col. 24, line 23: a camera system where a first rule and a second rule are utilized, an wherein the first rule has greater weight, such that when the first rule and the second rule conflict, the first rule is applied due to its greater weight). However, Rui et al does. It would be obvious to modify Klindworth, such

that they are utilized as one embodiment of the system wherein greater weight is designated to an embodiment of the user's choice as taught in Rui et al for the purpose of creating a more dynamic camera system.

Claim 19 has been analyzed and rejected according to claim 9.

Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GEORGE MONIKANG whose telephone number is (571)270-1190. The examiner can normally be reached on 9:00-5:00 EST Monday-Friday, Alt Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian C. Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/612,429
Art Unit: 2614

Page 11

/GEORGE MONIKANG/
Examiner, Art Unit 2614

8/26/2010

/Xu Mei/
Primary Examiner, Art Unit 2614